

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOHN F. PORTILLO, RAFAEL SUAREZ,
MARTIN DURAN, GERMAN
BENCOMSE, EDIN VARGAS, LUIS A.
HERNANDEZ, JOSUE PAZ, and ALVARO
CASTANEDA, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

NATIONAL FREIGHT, INC. and NFI
INTERACTIVE LOGISTICS, INC.,

Defendants.

Civil Action
No. 15-07908 (CPO)

ORDER

O’HEARN, District Judge.

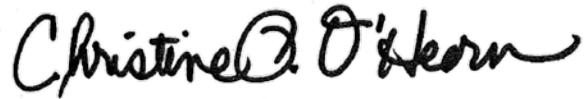
This matter having come before the Court on Plaintiffs’, John F. Portillo, Rafael Suarez, Martin Duran, German Bencomse, Edin Vargas, Luis A. Hernandez, Josue Paz, and Alvaro Castaneda, individually and on behalf of all others similarly situated (collectively, “Plaintiffs”), Motion for Partial Summary Judgment, (ECF No. 338), and Defendants’, National Freight, Inc. and NFI Interactive Logistics, LLC (collectively, “NFI”), Cross-Motion for Partial Summary Judgment, (ECF No. 344), and Plaintiffs’ Motion to Strike the Report of NFI’s Expert Witness, Dr. Robert B Speakman, Jr., (ECF No. 324); and the Court having convened a hearing in this matter on April 17, 2025; and the Court having fully reviewed and considered the record and the parties’ submissions in this matter including the motions, responsive briefing, and supplemental filings as well as the oral argument advanced at the hearing; and for the reasons set forth on the record at the time of the hearing and the promptly forthcoming corresponding Opinion,

IT IS on this 30th day of April, 2025 hereby

ORDERED that Plaintiffs' Motion for Partial Summary Judgment, (ECF No. 338), is **GRANTED**; and it is further

ORDERED that Defendants' Cross-Motion for Summary Judgment, (ECF No. 344), is **DENIED**; and it is further

ORDERED that Plaintiffs' Motion to Strike the Report of NFI's Expert Witness, Dr. Robert B Speakman, Jr., (ECF No. 324), is **DENIED** as moot.

A handwritten signature in black ink, reading "Christine P. O'Hearn". The signature is fluid and cursive, with the first name "Christine" and last name "O'Hearn" clearly legible.

CHRISTINE P. O'HEARN
United States District Judge